

 Lexington Police Department	<u>Subject:</u> Mutual Aid		<u>Policy Number:</u> <div style="font-size: 2em; text-align: center;">2B</div>	
	<u>Accreditation Standards:</u> Reference: 2.1.4		<u>Effective Date:</u> 11/1/11	
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	<u>Revision Dates:</u>	1/24/19	5/31/20	
<u>By Order of:</u> Mark J. Corr, Chief of Police				

GENERAL CONSIDERATIONS AND GUIDELINES

In order to provide adequate protection to the lives and property of Lexington residents, it is necessary for the Lexington Police Department to make provisions for augmenting its resources in emergency situations. The need for additional resources can result from emergencies such as civil disorders, fires, floods or other disasters. By entering into cooperative mutual aid agreements with neighboring cities and towns, the Lexington Police Department will be able to obtain assistance, without delay, to strengthen our response to emergency situations. This policy further outlines the procedures for requesting federal law enforcement or National Guard assistance.

In 1992, the Lexington Town Meeting adopted Article 28, which accepted M.G.L. Chapter 40, section 8G. In pertinent part, this law permits the Town of Lexington to "enter into an agreement with another city or town...to provide mutual aid programs...to increase the capability of such departments to protect the lives, safety, and property of the people in the area designated in the agreement."

PROCEDURES

A. MUTUAL AID AGREEMENTS

1. The Lexington Police Department's mutual aid agreements and Memos of Understanding will be scanned and accessible for viewing online on the G:Drive and originals filed in the Chiefs Office in a folder labeled Mutual Aid Agreements. These agreements will include the following information:
 - a. The legal status of those departments and personnel responding to a mutual aid request;
 - b. The legal authority by which responding personnel may act in the receiving jurisdiction, as provided in M.G.L. Chapter 41, section 99;
 - c. The procedures for requesting mutual aid;

- d. The identity of those persons authorized to request mutual aid;
 - e. The identity of persons to whom responding personnel will report;
 - f. Procedures for maintaining radio and/or telephone communications with outside personnel; and
 - g. Expenditures, if any, which should be borne by the receiving department to compensate for the use of another department's resources.
2. Presently, the following communities have Memorandums of Understanding (MOU) with the Lexington Police Department:
- a. A Mutual Aid Agreement exists between the Lexington Police Department and the North Eastern Massachusetts Law Enforcement Council (N.E.M.L.E.C) (Dated 8 September 2003)
 - b. A MOU exists between the 66SFS at Hanscom and the Towns of Lexington, Bedford and Lincoln Police regarding the use of a Drug/Bomb dog. (Dated 15 January 2009)
 - c. A Massachusetts Interagency Mutual Aid Agreement exists between the Town of Lexington and all Middlesex County cities and towns that allows on-duty, sworn police officers to exercise Police Powers within any of the Middlesex County cities and towns. This agreement allows sworn police officers from each Middlesex County city or town to cross into the geographical jurisdiction of any other city or town to carry out official police business. Such extraterritorial exercise of police powers is authorized under this agreement in both mutual-aid-request and self-activation situations.
 - i. This agreement requires police officers to notify the commanding officer of the community when they enter to conduct policing activities.
 - d. A MOU exists between Homeland Security Investigations (HSI) and the Lexington Police Department in order to assist in the performance of certain HSI duties (Dated 26 July 2019).

B. NOTICE TO THE CHIEF OF POLICE

1. The Commanding Officer on duty shall be responsible for notifying the Chief of Police (or in his absence the Captain of Operations or other designee) whenever mutual aid is requested from or granted to another agency.
2. Notification -- Minor Incident.
 - a. A minor incident is one, which is resolved in a short period of time without incident and does not require a significant transfer of personnel

or equipment. The Commanding Officer shall act at the Chief of Police's designee.

- b. In minor incidents, the Chief of Police, or his designee, will be notified by telephone at the discretion of the Commanding Officer. A follow-up e-mail and a fully detailed journal should record the circumstances of the event.

3. Notification -- Major Incident.

- a. A major incident involves one or more of the following:

- i. The transfer of personnel for extended periods of time.
- ii. Any mutual aid situation, which involves:

- (a) Death or injury to an officer;
- (b) Death or serious injury to another person; or
- (c) Extensive property damage.

- iii. Any mutual aid situation involving the significant transfer of personnel or equipment.

- b. In major incidents, the Chief of Police, or his designee, will be notified by telephone prior to the request for or granting of mutual aid.
- c. If exigent circumstances make notification impossible or impractical, the Chief of Police, or his designee, will be notified as soon as possible after such action has been taken.

4. When notification is made to the Chief of Police, or his designee, the following information should be available whenever mutual aid is to be requested or granted:

- a. Nature of the emergency;
- b. Measures taken to bring the situation under control, and why they have proven (or will prove) to be insufficient; and
- c. The estimated amount of equipment, personnel, or special units that will be necessary to bring the situation under control.

- 5. At the conclusion of any mutual aid situation, the Commanding Officer(s) requesting or providing mutual aid (or supervising an event which extends beyond a duty shift) shall prepare a comprehensive written report before the end of the duty shift.

C. REQUESTING MUTUAL AID

- 1. The Commanding Officer on duty will have the responsibility of making the initial decision for requesting aid from a mutual aid provider.

2. All requests for mutual aid should adhere to the procedures outlined in each mutual aid agreement.
3. Supervision: Officers from outside the town will be under the command of Lexington Police Department supervisors when rendering mutual aid within the Town of Lexington. However, where the provided mutual assistance involves the loan of a specialized unit such as SWAT, hostage negotiation, bomb disposal, or canine units, the commander of that specialized unit shall be responsible for the implementation of the mission to be accomplished, as determined by a Lexington Police Department supervisor.

D. RENDERING MUTUAL AID

1. Whenever any local police department requests mutual aid, the Commanding Officer on duty will determine whether or not mutual aid can be made available and to what extent such aid can be provided.
2. Before, and during, the rendering of mutual aid, Commanding Officers will consider the necessity to maintain adequate coverage and protection for the Town of Lexington. In no case will less than two patrol units be held for service in Lexington.
3. Officers on loan from the Lexington Police Department shall:
 - a. Follow all lawful orders as may be received from a supervisor from the receiving agency;
 - b. Strictly adhere to the policies and procedures of the Lexington Police Department;
 - c. Regularly report to the Commanding Officer the status of the emergency situation;
 - d. Take only those law enforcement actions which are directly related to the emergency situation; and
 - e. If necessary, provide assistance in the preliminary processing of arrestees, including:
 - i. Transporting prisoners;
 - ii. Identification and booking; and/or
 - iii. Property inventory and control.

E. REQUESTING FEDERAL ASSISTANCE (DEA, ATF, FBI, ICE, SECRET SERVICE, ETC)

1. The Commanding Officer on-duty may request routine federal law enforcement assistance from the Hanscom Air Force Base Air Police or the National Park Service, in areas where Lexington shares concurrent jurisdiction.
2. When unusual circumstances arise, or when a serious crime is involved, requiring the assistance from one or more federal agencies, the Commanding

Officer on duty will notify the Chief of Police, or his designee, to discuss the need for said assistance.

3. The Chief of Police, or his designee, will telephone the appropriate federal law enforcement agency to request and coordinate the federal assistance or joint investigation.

F. NATIONAL GUARD ASSISTANCE

1. In the event of a natural or man-made disaster (or pre-planned special event) the request for National Guard assistance shall be the duty of the Chief of Police or his designee.
2. The Chief of Police, or his designee, after consultation with the Town Manager, will telephone the Commonwealth's Office of the Secretary of Public Safety to request and coordinate the assistance of the National Guard.